

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**ALBERT McCORMACK, on behalf of
himself and all others similarly situated,**

Plaintiff,

v.

**HUBSPOT, INC., BRIAN HALLIGAN,
and DAVID STACK,**

Defendants.

**Civil No.
13-13177-FDS**

**ORDER ON CONDITIONAL CLASS CERTIFICATION
AND FORM OF NOTICE**

SAYLOR, J.

This is an action arising under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 207. Plaintiff Albert McCormack contends that his former employer, Hubspot, Inc., and its President, Brian Halligan, and Treasurer, David Stack, failed to pay him and other business-development representatives overtime compensation. The complaint brings claims under the FLSA and the Massachusetts Wage Act, Mass. Gen. Laws ch. 149, 151, and for breach of contract and unjust enrichment.

On March 3, 2014, this Court held a hearing and stated that it would conditionally certify a class. The parties met and conferred as to the appropriate form of notice and submitted a joint proposal. However, the parties disagreed as to the contact information for class members that defendants must provide to plaintiff and filed supplemental briefing in support of their positions.

For good cause shown, a class consisting of the following persons is hereby certified in this action: all individuals employed as business development representatives by HubSpot, Inc.

in Massachusetts at any time between November 13, 2010, and April 1, 2013. After careful consideration and review, the jointly proposed form of notice is hereby ADOPTED. Plaintiff's motion for defendants to produce various items of information for purposes of notice is GRANTED in part and DENIED in part. Defendants shall produce to plaintiff the names, addresses, alternate addresses (if any), and e-mail addresses of each putative class member, but need not produce the last four digits of the social security numbers, telephone numbers, and alternate telephone numbers of each putative class member, and need not make a posting in Hubspot, Inc.'s offices in Massachusetts. The denial of the motion in part is without prejudice to its renewal in specific instances for good cause shown. Defendants shall provide the information to plaintiff within 14 days of this order.

So Ordered.

Dated: March 20, 2014

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge